

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

RAPIDS ICE CO.,

Plaintiff,

Case No. 3:04 CV 7179

-vs-

MEMORANDUM OPINION
AND ORDER

HOME CITY ICE CO., et al.,

Defendant.

KATZ, J.

Before the Court is an order in the form of a Report and Recommendation from Magistrate Judge Vernelis K. Armstrong (Doc. No. 69), as to which Defendant has objected and Plaintiff has filed a response.

Irrespective of Defendant's objections the Court will adopt the order contained in Doc. No. 69, with two (2) exceptions. With respect to Document Request No. 7, the Defendant shall submit the relevant information required by the Magistrate Judge's order to the Court, in camera, for a determination as to materials which may be relevant and which may be disclosed to Plaintiff. Sensitive material may be required to be the subject of a protective order requiring same to be for counsel's eyes only.

With respect to Document Request No. 29, Defendant shall produce the same pursuant to the Magistrate Judge's order but it shall be subject to a protective order requiring it to be for attorneys' eyes only until further order of this Court. In the event that the parties cannot resolve an appropriate protective order, the Court should be contacted and will prepare one for their execution.

IT IS SO ORDERED.

s/ David A. Katz
DAVID A. KATZ
SENIOR U. S. DISTRICT JUDGE